

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

STEVEN NOVIA, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

MOBIZ, INC.; HARRIS BROTHERS OF  
MICHIGAN, INC.,

Defendants.

Civil Action No. 1:25-cv-11036-AK

**HARRIS BROTHERS OF MICHIGAN, INC.’S MOTION TO DISMISS**

Pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure, Defendant Harris Brothers of Michigan, Inc. (“Harris Brothers”) respectfully moves this Court to dismiss Plaintiff Steven Novia’s class action complaint against Harris Brothers for lack of personal jurisdiction and, in the alternative, for failure to state a claim as to count II. In support of this motion, Harris Brothers incorporates and relies upon the contemporaneously filed memorandum of law.

Respectfully submitted,

HARRIS BROTHERS OF MICHIGAN, INC

By its attorneys,

/s/ Alexandra Arnold

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Dated: August 8, 2025

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7.1(d), Harris Brothers respectfully requests oral argument on the grounds that such oral argument may assist the Court in its consideration of the issues presented in this motion.

/s/ Alexandra Arnold

Alexandra Arnold

**CERTIFICATE PURSUANT TO LOCAL RULE 7.1(a)(2)**

I hereby certify that on August 8, 2025, counsel for Harris Brothers conferred by telephone with counsel for Plaintiff in an attempt to narrow or resolve the issues raised in this motion. Plaintiff does not assent to the relief sought herein.

/s/ Alexandra Arnold

Alexandra Arnold

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants, as identified on the Notice of Electronic Filing, on August 8, 2025.

/s/ Alexandra Arnold

Alexandra Arnold